The Pittsburgh Gazette.

Vol. XI. SATURDAY, January 14, 1797. No. 541.

ALL perſons indebted to the firm of JOSEPH PATTERSON & Co. by bond, note, or book account, are requeſted to make payment before the 15th day of February next, otherwiſe their accounts, &c. will be put into the proper officers hands for recovery.

They have received a large and general aſſortment of MERCHANDIZE ſuitable to the ſeaſon, which they offer for ſale on moderate terms for Caſh or Country Produce.

Pittſburgh, January 5, 1797.

TO BE SOLD,

A NEGRO MAN, a ſlave for life, about 28 years of age. Enquire of WILLIAM GRAY, in Pittſburgh.

All thoſe who have any demands againſt ſaid Gray are deſired to bring them forward for payment, and thoſe indebted to him are requeſted to make payment before the 20th inſt. or they will be ſued indiſcriminately.

January 5, 1797.

I HAVE

Three breeding Mares

FOR SALE.

THEY are all young, and in foal by the firſt horſes on the continent; viz. Meſſenger, Highlander, and Paymaſter. One of the Mares is a full blooded High Flyer colt, out of Fair Rachel; the others partake of good blood.

I have alſo for ſale a Coal Black STALLION, with a handſome blaſe, riſing 5 years old, 16 hands high. He is a colt of the celebrated Bold Hunter, an imported ſtud, of the [illegible], or draft breed. All warranted ſound. Enquire of

WILLIAM BLAINE, at
MORGANZA, forks of Chartiers, Waſhington county, Pennſylvania.

January 3, 1797.

N. B. Caſh or Produce will be accepted in payment.

To all whom it may concern,

THIS is to give public Notice, that the incorporated ſociety of United Brethren in America, for propogating the Goſpel among the Heathen, are lawfully intituled to, and in poſſeſſion of two tracts of land in Allegheny county, in the State of Pennſylvania, partly the gift of the Legiſlature of the ſaid State, to the ſaid ſociety, partly purchaſed by the ſame, which is duly located and deeds granted therefor, to wit: One of the ſaid tracts on the eaſt branch of French creek, adjoining the reſerved town land. The other of the ſaid tracts on the north-weſt corner of the State of Pennſylvania, running from Lake Erie along the weſtern boundary line over Coneought Creek 1600 chains, and from the corner of the State eaſtward, 470 chains.

The Delineations can be found in the offices, and by the regular ſurveyors in ſaid county.

Now this is to give warning, to each and every adventurer, who by an improvement intends to make a claim to ſome land in thoſe parts, that they may take eſpecial care, not to ſettle or improve on any of the ſaid tracts.

IAC. V. VLECK,
Secretary of ſaid Society.

Bethlehem, Dec. 1796.

PUBLIC NOTICE.

THE partnerſhip between JOSEPH SIMON & SIMON GRATZ trading under the firm of SIMON and GRATZ, will expire on the firſt day of March next. All perſons indebted to them are requeſted to make ſpeedy payment—Thoſe to whom they are indebted are deſired to preſent their accounts for ſettlement

JOSEPH SIMON,
SIMON GRATZ.

Lancaſter, December 2, 1796.

N. B. The IRONMONGERY STORE as uſual will be continued by Joseph Simon who will keep a general aſſortment of articles which he will ſell at the moſt re-

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TO BE SOLD,

THE HOUSE that the ſubſcriber now lives in. The terms may be known by applying to

JOSIAH TANNEHILL.

Pittſburgh, Dec. 15, 1796.

Came to the Lower Ferry

oppoſite Pittſburgh, on the 10th of this month, a bay Mare about 7 years old, 14 hands high, her near hind foot white, no brand perceivable.—The owner is deſired to come, prove property, pay charges, and take her away.

EPHRAIM JONES.

December 15, 1796.

William Chriſty,

Has juſt received a freſh ſupply of MERCHANDIZE, conſiſting of the following articles, viz:

Superfine and the moſt faſhionable ſeven-quarter broad cloths, printed, figured, ſpotted, ſtriped, plain and grey caſſimers, of a ſuperior quality, blue, fancy ſtript, ſcarlet, plain and grey coatings, Iriſh ratteens, kerſey green baize, ſwanſkin, half thicks, &c. fine white, yellow, and ſcarlet flannels, large roſe and three point blankets.

Books and Stationary.

Queens Ware and Groceries, a large aſſortment, which he is now ſelling at the moſt reduced prices for caſh as well as country produce.

Pittſburgh, December 30, 1796.

Came to the premiſes of the

ſubſcriber, one mile from M'Kee's Port, a Bay Mare, ſuppoſed to be about 15 years old, ſhe has ſome white on her hind feet and in her forehead. Alſo a horſe Colt, by appearance one year old laſt ſpring, is of a dark bay colour. The owner is deſired to come, prove property, pay charges, and take them away.

CLARKE RATHBUN.

Verſailles Townſhip, Dec. 22, 1796.

The Subſcriber earneſtly re-

queſts all thoſe that are indebted to him to come forward and pay off their reſpective balances before the firſt day of February next, otherwiſe their accounts will be put into the Magiſtrates hands for recovery.

ALEX. SHAW.

Pittſburgh, Dec. 20, 1796.

All thoſe who have any de-

mands againſt the eſtate of Joſeph Nicholas, late of Pittſburgh, deceaſed, are deſired to render them properly atteſted, and all thoſe who are any way indebted to ſaid eſtate, are deſired to make immediate payment to

NATHANIEL IRISH, } *Executors*
SAMUEL EWALT, }

Pittſburgh, Dec. 20, 1796.

All perſons indebted by bond,

note, or book account to Nyhoff & Claaſſe, merchants, in Greenſburgh, are deſired to come and pay their reſpective balances on or before the 9th of January next, as we wiſh to cloſe our accounts.

NYHOFF & CLAASSE.

Greenſburgh, Dec. 15, 1796.

Whereas a certain William

Waſon of Allegheny townſhip, Weſtmoreland county, did on the 12th day of March laſt, ſell a certain Tract of Land to the ſubſcriber, lying north weſt of the Allegheny river, and ſaid Waſon now refuſeth to make conveyance according to bargain, notwithſtanding the contract has been fulfilled on my part. This is to forewarn all perſons from taking an aſſignment of ſaid, as I have too much reaſon to believe ſaid Waſon will uſe every poſſible means to deceive.

BEN. LEASURE.

Dec. 14, 1796.

N. B. Said land is on the waters of Limeſtone, adjoining William Todd, David Todd, and Charles M'Coy.

JAMES ANDERSON,

SADLER, in PITTSBURGH,

HAS juſt received a general aſſortment of the beſt Plated Sadlery Ware, which he will ſell on the loweſt terms. Orders from Sadlers at a diſtance will be duly attended to. He carries on the *Sadler Buſineſs* and *Trunk Making* in all their branches in the Stone Houſe, at the corner of Second ſtreet and Chancery lane, where his cuſtomers, and others, may be ſupplied on the loweſt terms,

Dec. 23, 1796.

JUST opened, by the ſubſcribers, at the houſe of Mrs. WILSON, on the Bank, a neat aſſortment of Freſh GOODS, ſuitable for the preſent ſeaſon, which they offer for ſale, in conſequence of a long detention at this place, and the preſent impoſſibility of deſcending the river, remarkably low, for Caſh, or any kind of Country produce.

Alſo, a quantity of Goods unopened, which they will ſell by wholeſale at very reduced prices.

KISSAM & STITH.

Pittſburgh, Dec. 5, 1796.

Ten Dollars Reward.

DESERTED from the garriſon of Fort Fayette, on the night of the 14th inſt. Thomas Murphy, a ſoldier in Capt. John Crawford's company, aged about 20 years, black hair, fair complexion, hazel eyes, born in Salem county, New Jerſey, by trade a carpenter, had on when he deſerted a ſhort blue jacket, and blue woolen overalls. Whoever takes up ſaid Deſerter and delivers him to the commanding officer at this poſt, or to any military officer in the ſervice of the United States, or ſecures him in any jail, ſo that he may be ſent to the corps to which he belongs, ſhall receive Ten Dollars Reward and all reaſonable charges.

J. CRAWFORD, Capt.
4th Regiment.

Fort-Fayette, Dec. 16, 1796

William Wuſthoff & Co.

Are juſt opening in Mr. Watſon's Brick Houſe, next door to Abner and Jeſſe Barker's, a general aſſortment of

MERCHANDIZE,

ſuitable for the ſeaſon which they will diſpoſe of upon moderate terms.

Pittſburgh, Dec. 9, 1796.

Wm. WOODS, & Co.

HAVE juſt received at their New Store, at the corner of Diamond alley, and juſt oppoſite the Market houſe, a freſh ſupply of

Fall and Winter GOODS,

which they offer for ſale at a very reduced profit for Caſh or Country produce.

They acknowledge the great obligations they are under to their friends and cuſtomers for the encouragement they have received ſince their commencing buſineſs in this place, and by their attention hope to merit a continuance.

Pittſburgh, Dec. 5, 1796.

Came to the Plantation of the

ſubſcriber living in Peter's Townſhip, Waſhington County, October laſt, a ſorrel Mare colt, about ſix months old, white main and tail, one hind foot white, a ſtar in its face. The owner is deſired to come, prove property, pay charges, and take her away.

JOHN DUNLAP.

December 18, 1796.

Came to the plantation of the

ſubſcriber, living in Verſailles townſhip, Allegheny county, about the laſt of July, a bay Colt, 2 years old, with a ſtar and ſnip, long ſwitch tail, no brand. The owner is deſired to come, prove property, pay charges, and take him away.

PHILIP UNSUTTLER.

December 8, 1796.

ALLEGHENY COUNTY, DECEM
SESSIONS, 1796.

Honoured Sir,

THE Grand Jury, after duly conſid your Honour's Charge, are of opinion that admitting it to be printed in the Pittſ Gazette, may be of general uſe to the p at large.

JOHN WILKINS, Forem

The Hon. ALEXANDER ADDISON.

A CHARGE delivered to the GRAND *of Allegheny County, at December S 1796, by* ALEXANDER ADDISON, *Preſi of the Courts of Common Pleas of the F Circuit.**

THAT *the principles and modification of government under which he lives, be w underſtood, and its adminiſtration be exami with intelligence and candour, is of no li moment to the happineſs of every citizen F unleſs the government and its adminiſtrati be ſo underſtood and examined, there will no fixed rule, by which publick meaſures can judged. They will be diſtorted by the wandering imagination of the ſpeculatiſt, the malign of the factious, and the envy of the diſcontented faults will be found without cauſe, and cal mities deplored which have no exiſtence, inſtea of the applauſe of ſatisfaction, there will be th murmur of diſcontent, and repining, inſtead gratitude. But in a government like our where the citizen has an influence, and a ſhar in its adminiſtration, a competent knowledge o the principles, and a juſt eſtimate of the admi niſtration of the government, are neceſſary, no only for his happineſs, but for that obedience and civil and official duty, without which go vernment becomes uſeleſs or corrupt.*

The people of America lives under a govern ment of a complex or federate kind, like all other governments, produced by their neceſſities and faults; but, even at this day, almoſt ſingular in this, that it is framed by their own will. When the combining and controuling power of Britain, which had long kept the colonies together, and protected them from each other, and from foreign nations, degenerating to oppreſſion, was denied and rejected, neceſſity, and a prudent regard for their own ſafety induced them to ſubſtitute a confederation among themſelves for the ſupremacy of the mother country. And this confederation, weak and imperfect as it was, ſufficed during the fervour of a revolution, and the preſſure of external force, to maintain the union of the ſtates: for if men will be virtuous, or muſt be ſo, little energy is requiſite in government. But when danger was paſt, and peace returned; when publick liberty ſeemed no longer in hazard, and each began to look to private intereſt; when zeal relaxed into ſelfiſhneſs, and ſecurity took place of fear, the ſtrong pillars of this government were ſhaken, the cement which held it together was diſſolved, the confederation, as was then commonly ſaid, was found to be a rope of ſand: it had no ſtrength to effect the permanent purpoſe of national proſperity, and the reſources of the United States were found to languiſh, and their ſafety to lie at the mercy of foreign powers. A national government, of ſuch force, as to call forth the energy, combine the exertions, and controul the perverſeneſs of the ſeveral ſtates; to dictate laws in all national caſes; and to exhibit an united and formidable power to foreign nations; was univerſally [illegible], as eſſential to the independence and proſperity of America: and thus the conſtitution of the United States was framed and adopted.

In this government is veſted all authority over general or national and external ſubjects. To this government we owe, that we are not a number of ſeparate and hoſtile ſtates, mutually hating, embarraſſing, and injuring each other, unhappy at home, and contemptible abroad. And to this government we muſt owe the proſperity of our commerce, the payment of our debts, and our national defence. To the government of each ſtate is ſeverally reſerved authority over local and internal ſubjects, the adminiſtration of juſtice, and protection of perſons and property within the territory of each. And to this government we owe the ſecurity of thoſe perſonal enjoyments which we regard, life, liberty, reputation and eſtate. Thus the government of the union, and the government of the individual ſtates have each its ſeveral authority, object, and uſe, and acting within its authority, and for thoſe [illegible], each deſerves our confidence, reſpect, and ready obedience.

The government of the union, and the government of the ſtate, in their general outlines and principles, are ſo nearly alike, that obſervations on either will generally apply to the

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** The ſame except the laſt paragraph which relates [illegible] county only, was alſo [illegible] of both [illegible] Grand Juries of that Cir- [illegible] material [illegible]* ther. They both diſtribute the ſovereignty to different branches, aſcertain and limit the authority of each, and declare and eſtabliſh the privileges of the citizen. They are not the work of accident or force, nor the excluſive and unwelcome dictates of uſurping individuals; nor have they derived reverence from age, or fictitious force from ſuperſtition or miracles; but they are the maxims of reaſon and experience, the choice of the whole people, and muſt depend, for their force and exiſtence, on the opinion of that people which eſtabliſhed them, on the approbation of the ſound judgment, the candour of the honeſt prudence of the citizens of America. Derived from the whole people, and reſting only on truth, juſtice, and utility, there is no ſelect body of excluſive privileges to ſupport them, no falſe arts to buoy them up, nor military array to fortify them with terror. Like virtue and knowledge, they have force, while they are reſpected; but they may be ſhaken by ſuſpicion, and overturned by calumny, and the miſchiefs occaſioned by their ruin ſeen only in its conſequences, and felt when there is no remedy.

Some other governments have been eſtabliſhed to promote the happineſs of one or a few; but ours is eſtabliſhed to promote the good of the whole people; and the principles neceſſary or proper for this purpoſe are laid down in the conſtitution, and carried into effect by the acts of the ſeveral branches of the government. It is in the conſtitution, and not the opinions of individuals, that we are to diſcern the principles tending to the good of the people; for the conſtitution is the work of the whole people, the ſyſtem which they have choſen, to promote their happineſs, the maxims by by which every branch of the government muſt be directed, and by which only they can be tried. It is in the conſtitutional acts of the different branches of the government, and not the opinions of individuals that we can beſt diſcern the adminiſtration of the conſtitution tending moſt to the good of the people; for the branches of the government are the repreſentatives of the people, the organs of their will; for they are the organs of the conſtitution. So various are the minds and intereſts of the citizens, that it si impoſſible, that the conſtitution, or the laws and other acts of government, ſhould conform to the opinions of all; but it is neceſſary, that the opinions of all ſhould conform to the conſtitution, and the acts of every part of its adminiſtration; for the conſtitution, and its adminiſtration, however repugnant to the opinions of ſome or of many citizens, muſt be, and be believed, the will and work of the whole people.—This is one of the moſt ſacred principles of a repreſentative democracy; and never can be violated, without endangering the ſafety of the government, and the peace of the citizens. This principle will therefore be fervently cheriſhed, and uniformly practiſed, by every reflecting, wiſe, and good man, who regards liberty, and the maxims of a democratic government. The conſtitution is the ſtandard of liberty, and a conſtitutional adminiſtration is a government of freedom. And while the conſtitution is reſpected by the adminiſtration, and both by the citizens, they are falſe friends and real enemies to liberty, who diſſeminate ſuſpicions, and excite clamours, that liberty is in danger. However neceſſary a prudent *jealouſy* of its adminiſtration may be, to preſerve the purity of the government, it will be found that a prudent *confidence* in its adminiſtration is not leſs neceſſary, to preſerve its ſafety, and the peace and happineſs of its citizens. While the people are vigilant and virtuous in the adminiſtration of their part of the government, there will be more danger from an unreaſonable jealouſy, than an unreaſonable confidence, in the other branches of the adminiſtration. In governments where the people have no part of the adminiſtration; where their duty is to ſubmit, not act; a falſe opinion in the people may produce no miſchief, effect, or influence; for it can be corrected by the government. But here, where, beſides the authority of election, not only the efficacy of its adminiſtration, but the very exiſtence of the conſtitution, depends on the opinion of the people; a miſtaken jealouſy in the people muſt be miſchievous, and may, at any time, overthrow the whole government; for there is no power, in any part of the adminiſtration, effectually to correct the errors of the people. A miſtaken confidence, on the other hand, can, at worſt, produce but a temporary evil: for an error in any other part of the adminiſtration may ultimately be corrected by the people, in the adminiſtration of their elective power. Of ſuch importance is it, that the people be taught to think juſtly!

Our conſtitution acknowledges, in its full extent, the principle, that all government is derived from the people. But, for the people to exerciſe all the power of government, is impracticable, and to commit it to one man, or (which is the ſame thing) to one body of men, is unſafe. Where there is all power, there is no controul; but the paſſions of men need checks and reſtraint. Power muſt therefore be balanced againſt power, and authority ſo combined with authority, that each, without obſtructing or impeding another, may move in its preſcribed and regular courſe, giv[illegible] and uſe to the whole. Th[illegible]e to make the compari[illegible]

RGH : Printe
ption at Fifteen

Univerſe, while he gives to each orb its ſeveral circle and motion, combines the whole, by their mutual attraction, and their common gravitation to the central orb.

It is therefore both for convenience and ſafety, that the ſovereignty, or power of government, is broken into different portions, and diſtributed into different hands or branches. One branch, the legiſlative, makes laws; another, the executive, enforces them; another, the judiciary, explains and declares them, when doubted or diſputed; another, the elective, appoints citizens to occupy the other branches, and exerciſe their ſeveral powers. Thus the powers of the people are exerciſed, by themſelves and their deputies, with ſafety & effect.

1. The great ſecurity of liberty is, that the legiſlative branch be occaſionally appointed by the people, or by thoſe whom the people chooſe for that purpoſe. Wherever this proviſion is made, liberty is ſafe: for no law can be eſtabliſhed, but by the conſent of the whole people, that is the repreſentatives of the whole people. This is the utmoſt extent of rational liberty. Any thing farther is licentiouſneſs, anarchy, and miſery.

But a nation or people, like an individual, have their errors, their paſſions, and their vices. To convert every impulſe of paſſion, every ſuggeſtion of ignorance or weakneſs, or every dictate of iniquity and corruption, into a law, would eſtabliſh a diſcordant, and dreadful code, more ruinous than the moſt arbitrary deſpotiſm. Examine the giddy, tumultuary, and cruel decrees of Athens and of Rome. A people therefore with power muſt, like a raſh man with a ſword, in ſome meaſure diſarm themſelves, tie up their own hands, and ſave themſelves from the miſchiefs of their own will. On this ground, they bind themſelves to chooſe legiſlators, who ſhall be impartial, prudent, and ſkilful, and who ſhall have time for deliberation, and be independent in the exerciſe of their judgment. Hence the proviſions in our conſtitution, that the people cannot chooſe legiſlators, who have not arrived at a certain age, or have not reſided a certain time in the territory or diſtrict, or who hold certain offices, and that, when they have choſen them, they cannot withdraw their appointment, till the expiration of a certain period.* All theſe proviſions, and indeed all laws, would be uſeleſs, if the people were always wiſe, and always virtuous. But he who reckons on this, reckons very falſely indeed: and conſtitutions and laws are framed on the ſuppoſition, that a people may be, as ſcripture declares that mankind is, both weak and wicked.

As even a ſelect body of men, are yet men, and, as ſuch, may be haſty, paſſionate, and prejudiced, it has been thought prudent, to ſeparate the legiſlators into two houſes, and make the conſent of each neceſſary to the making of a law. This, it is ſaid, gives a better chance for deliberation, accuracy, and intelligence, in our laws. It would ſeem there is reaſon and truth in this opinion: for we ſee nations, who have had the experience of a legiſlature of a ſingle branch, change it, for a legiſlature of two branches. Pennſylvania has done ſo. And France, where we have no reaſon to think, that the ſpirit of liberty is diminiſhed, has alſo done ſo. I am inclined to think, though I had no ſanguine expectations from this change, that it is an improvement: for I have known very falſe meaſures, great favourites of one branch, prevented by the prudence of the other. On ſimilar principles, and for its own protection, a qualified negative is given to the executive on the acts of the legiſlature.

A nation or people (for ſuch is the nature of man) being often giddy, fluctuating and raſh, though they may ultimately think rightly, often haſtily take up a falſe impreſſion, from the ignorant declaimer, the pretended patriot, the artful and corrupt demagogue. Were legiſlators expoſed to the impulſe of every momentary popular paſſion, like a weather-cock on the top of a ſteeple turning to every wind, their laws would be uncertain, changing, and contradictory; their employment, like that of Penelope, would be a perpetual doing and undoing, making and repealing laws; there would be no uniformity of meaſures, nor ſteadineſs in purſuit of any one. At the ſame time to appoint legiſlators for life, or for ſo long a time as might be conſidered as equal or approaching to that period, might give too great indifference to the juſt ſentiments, uſeful wiſhes, and true intereſts of the nation, and tempt to imagine or accompliſh a ſeparate intereſt of the legiſlators. To guard againſt both evils, the members of one houſe are choſen for a longer period than the members of the other. The ſenators of the United States are choſen for ſix years; the ſenators of Pennſylvania for four years. The appointment of one third part of the ſenators of the United States expires every ſecond year; the appointment of one fourth part of the ſenators of Pennſylvania expires every year. The members of the houſe of repreſentatives of the United States are choſen for two years. The members of the houſe of repreſentatives of Pennſylvania are choſen for one year. By the gradual renovation of the ſenate, it is preſumed, that a competent number of members acquainted with the intereſt of the nation, and the means of promoting it, is preſerved, ſo as to ſecure a judicious and uniform ſyſtem in this houſe. While, at the ſame time, the annual or biennial appointment of the houſe of repreſentatives, without whoſe aſſent no law can be made, ſecures a ſufficient regard to the opinions and intereſts of the citizens. And the return of the members of both houſes, after their period of appointment, to the ſituation of private citizens, with their connection of family and kindred, all affected by every law, ſo combines theirs with the general welfare, that it would be difficult for malice itſelf, to deviſe a temptation to abuſe their authority, or the wit of man, to invent a ſtronger ſecurity for the right uſe of it.

As the people, at the time of an election, are liable to be ſeduced by miſrepreſentation; and as many of them are, at all times liable to receive falſe impreſſions, and form falſe judgments; it has been thought that the ſenate ought to be choſen, not as the houſe of repreſentatives, but by a ſelect number of electors choſen by the people for that purpoſe. The ſenate of the United States is ſo choſen, by the legiſlatures of the ſeveral ſtates. But even in this caſe, they are choſen by the people, for they are choſen by thoſe whom the people chooſe to chooſe them. So that ultimately, the power of appointment is in the people. Conſidering the extenſive intereſts of the United States, we muſt think, that the period of ſix years ſervice, in the ſenate of the United States, is ſhort enough, to acquire and apply a judicious experience, and that any diminution of that period would be an injury to our government, and render its adminiſtration leſs ſolid, ſtable, prudent and uſeful. For ſimilar reaſons, it will be admitted, that allowing four years ſervice in the ſenate of Pennſylvania greatly promotes the ſafety, efficacy, and uniformity of the adminiſtration. And there is ground to believe, that the ſenates, of the ſtate and federal government, are our ſheet anchors, againſt the fluctuating blaſts of levity and error, and the ſtorms of popular violence.

In this review of the legiſlative branch of our government, it appears that the great principles of liberty are ſecured to the people; and that they are reſtrained from no liberty, except, in ſome caſes, liberty of doing miſchief to themſelves. And when ſuch is the ſtate of our legiſlature, we may juſtly boaſt of a free government.

2. But vain are laws, unleſs they are enforced: theory without practice, like faith without morality, is unprofitable. It is not more important to liberty, that the whole people ſhould *make* laws, than that the whole people ſhould *obey* them. Liberty is a government of laws made by the whole nation. And it is the ſame thing, whether one or a few ſhall dictate laws to the reſt, or one or a few diſobey the laws of the reſt; for to diſobey is to make a law; and diſobedience of one is tyranny of one. That a law ſhall not be executed is, in fact, that it ſhall be repealed. To repeal is to make a law: and if an executive ſhall not execute a law, the executive becomes a legiſlature, for it repeals a law; and two branches of the ſovereignty are united in one: the branch choſen for one purpoſe, exerciſes the powers of another: and this amounts to uſurpation and tyranny. Laws are the will of the people; a neglect or refuſal to execute them, is a neglect or refuſal to execute the will of the people. In every view, that we can take of it, we ſhall ſee, that, if it be a principle of liberty, that laws be made by the nation or whole people, it muſt alſo be a principle, that they be ſtrictly and faithfully enforced and obeyed. Where the people have a ſhare or an influence in making laws, they ought to know the laws, that, if good, they may be continued, if uſeleſs or bad, be repealed. That laws be known, they muſt be felt, by an exact execution. No opinion, therefore, can be more falſe, than that a relaxed execution of the laws is favourable to liberty. This opinion is directly oppoſed to every principle of liberty and repreſentative democracy. For as to relax or ſuſpend its execution is to change or repeal a law, a relaxation or ſuſpenſion of the execution of a law unites the executive and legiſlative authority, ſets the executive above the legiſlature, deſtroys the conſtitutional controul of the ſeveral branches (which is the ſafe-guard of liberty) and changes the nature of the government. This is, in fact, what was ſo much reprobated in Britain, a power aſſumed by the king to ſuſpend a law, by a proclamation. And this is what is expreſsly guarded againſt by the conſtitution of this ſtate.*

As it is thus eſſential to liberty, that the laws be ſtrictly executed, the execution of them muſt be committed to hands, which ſhall have no temptation to remiſſneſs.—Senſe of duty is not, of itſelf, ſtrong enough to bind man—intereſt muſt be united with duty: there muſt be an advantage in doing right; and a riſk, if not a loſs, in doing otherwiſe. A certain degree of independence on the people, and the other branches, muſt be given to the executive. This branch muſt have a fixed duration in office, and a competent ſalary, to induce an abandonment of private purſuits, and a faithful devotion of time and attention to public duty. Four years is certainly a ſhort [illegible] tion in office, for a uſeful diſcharge of the important duties of Preſident of the United States.

A ſingle executive is conſidered as neceſſary, or greatly conducive, to a right adminiſtration. There is a tendency in numbers to keep the whole in countenance in doing what any one would bluſh for. Participation ſeeming to leſſen the blame, leſſens the ſhame, of falſe conduct. Each hides his fault under the ſhade of another, and replies to cenſure, "you cannot ſay I did it." Wrong is done; but no man is the doer. One of the ſtrongeſt motives to a right adminiſtration is withdrawn, when reſponſibility to public opinion is withdrawn. And to preſerve this motive to a right adminiſtration (and motives to a right adminiſtration cannot be too much multiplied) and ſecure this reſponſibility, a ſingle executive has been thought neceſſary. Thus, by combining reſponſibility and independence in the executive, an exact and faithful execution of the laws is provided for.

3. It is eſſential, in the adminiſtration of government, that the laws be juſtly and ſkilfully explained, declared and applied. It is, therefore, eſſential, that care be taken to frame a good judiciary, as a moſt important branch in the adminiſtration. Law, in all cultivated and commercial nations, becomes in the progreſs of time, a ſcience of deep and complex learning; and it is neceſſary to make it as a ſeparate profeſſion, and to commit its interpoſition to a ſelect body of men, whom ſtudy and reflection have qualified for that important duty. Hence, in all countries where a prudent proviſion has been made for the adminiſtration of juſtice, a judiciary, or ſelect and [illegible] body of men, for interpreting and declaring the laws, has been eſtabliſhed. To leave this important truſt to any changing or caſual body, would be ruinous to the liberty and ſafety of the citizens. Rules, maxims, and principles, eſtabliſhed to day, would be contradicted and overturned to morrow. One deciſion would be no precedent for another; nor would the next court feel themſelves under any obligation, to conform to the judgment of the former. Law would be vague and uncertain, depending merely on the variable and occaſional feelings and ſentiments of a court, never uniform, but always changing. There would be no certain rule of conduct, demeanor or poſſeſſion. Life and property would be precarious.—No man would know when he was ſafe; a man might be hanged to day, for that for which he was praiſed yeſterday; and the ſword of Damocles, ſuſpended by a ſingle hair, would hang over the head of every citizen.

But, in caſes ſubmitted to the examination of the judiciary, there are often two queſtions involved; what is true, and what is right; or, in other words, fact and law. In aſcertaining facts, there is not the ſame reaſon for uniformity or permanency, as in aſcertaining law. One man is neither bound nor ſuppoſed to act as another has done; the ſame conduct is not preſumed in all—though the ſame rule muſt in all, be applied to the ſame conduct. Law muſt be uniform, but facts may vary. On the principles of diſtribution of power, that authorities may mutually check each other, the deciſion of law, and of fact, is committed to different hands. An uniform rule of right is eſtabliſhed by veſting the judges or courts, a permanent body, with the determination of law; and an impartial inveſtigation is expected from reſting in juries, occaſionally and fairly ſelected, the determination of fact. If either courts had the power of aſcertaining facts, or juries the power of declaring law, there would be no controul on either. One man might fall a ſacrifice to the partiality or malignity of a judge and another to the paſſion or prejudice of a jury. But when a ſettled rule of determination is eſtabliſhed for all caſes by a court, and an unbiaſſed inveſtigation of each particular caſe ſecured by a jury, a permanency of right and enjoyment is accompliſhed by this diſtinct authority over law and fact—and the citizen may then truly ſay that he is free, under a government of laws, and not of the paſſions of men. But this liberty only laſts, while this diſtinction is preſerved. For, if ever courts take upon them to aſcertain facts, or juries take upon them to declare law—the conſtitutional controul over each other is broken down—courts might determine, without truth—and juries, without law. Liberty would be deſtroyed, for all certain rule of conduct would be deſtroyed; and the property, reputation or life, of any man, might be ſacrificed to paſſion or caprice. The excellence of our judiciary is not merely, that juries have a ſhare in the adminiſtration of juſtice—but that its adminiſtration is not wholly in one body of men; that a diſtinction of authority ſubſiſts in the judiciary. And it would be found, at leaſt, not leſs dangerous to the liberty and ſafety of the citizens, if juries were to uſurp a power to determine law, than if courts were to uſurp a power to determine fact. We have leſs obligation on juries than on courts. Juries conſiſt of many, deliberate in private, deliver a joint opinion, and, though they might be aſhamed to contradict fact, might cover their malice or favor under pretence of opinion or error in law, which it is not expected they ſhould fully underſtand. They are ſelected but for an occaſion, and ca[illegible] public opinion, nor ſee ſuch reaſon to public judgement, as courts, a permanent body, poſſeſſing an office ſuppoſed valuable, who muſt be aſhamed publickly to lay down one rule of law in one caſe, to day, and another, in another caſe, to morrow. The principles of our judiciary ſyſtem, therefore, preſcribe, that the determination of law ſhould be made by the court, and the determination of fact, by the jury.—Thus an impartial inveſtigation of facts, and a ſkilful and uniform deciſion of law is eſtabliſhed, not merely in one court, but in every county or diſtrict. And we may challenge the world for a purer, more perfect, and more general adminiſtration of juſtice: an important ſecurity of our rights, and a diſtinguiſhed ſpecimen of the excellence of our government!

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* U. S. Conſt. I. 2. 3. 6. Penn. Conſt. I. 2. 3. 5. 8. 18.

* Penn. Conſt. IX. 12.

But it is not ſufficient to form a good ſyſtem; practical ſecurities muſt be adopted, for its due adminiſtration. Intereſt (I repeat the obſervation) muſt be combined with duty: all temptations to error and miſconduct muſt be removed, and motives to rectitude multiplied. The judges muſt be made altogether independent of the people, and of the other branches of adminiſtration. In England, while the judges held their places at the pleaſure of the King, they were mere machines in his hands and were diſplaced, or continued in office, as they gave their judgements contrary, or according to his will A judge ſeems to have been diſplaced for an opinion againſt the king's will, on a queſtion whether a ſoldier ſhould be hanged in Middleſex, or at Plymouth.* Such dependence, in fact, annihilate the judiciary, and veſts its powers in the executive. Dependence deſtroys energy and authority—and a dependent judiciary is no judiciary. To preſerve liberty and the balance of authority, the judges muſt be independent of the executive, of the legiſlative, and of the elective branch or of the people, by having duration of office & ſalary ſecured to them. Since this has been done in England, however corrupt may be other branches of the government, no country can boaſt of a purer or more enlightened adminiſtration of juſtice. The ſame principles have been recognized and eſtabliſhed in America, and happily with the ſame ſucceſs.

It is faſhionable with ſome, who are perhaps leaſt qualified for a right judgement on the ſubject, to complain of the expence of the executive and judiciary. Every citizen, who is called to devote a peculiar portion of his time to public ſervice, has a right to expect ſuch a compenſation from the public, as he would receive, for like ſervices, from an individual—and in few caſes indeed if in any, has the public compenſation exceeded this eſtimate, but generally comes ſhort of it. We find that more is given by individuals, whoſe object is gain, to ſimilar or leſs important ſervices, than by the public, whoſe object is a due adminiſtration of government; and that there is hardly any man in the executive or judiciary, of talents competent to the duties of his ſtation, who would not increaſe his gain, by devoting thoſe talents to the ſervice of individuals or of himſelf. If public offices are ſo extremely profitable, how comes it that they are ſo frequently abandoned: and that we find men of talents generally ſhun them?—There is not, I believe, a great office in the United States, which has not been reſigned, or has not been refuſed. Will we then complain of want of economy? And would we drive every man of talents from public ſtations? A public officer is but an annuitant; he cannot tranſmit his appointment to his poſterity; and he has but a few years, in which he can make proviſion for a family, which may be left helpleſs by his death. If offices are made valuable, the obligations to duty are ſtrengthened by the fear of loſing them. If offices are not valuable, officers may be remiſs in their duty, and diſregard all threats of removal.

4. Though this review of the principles of our legiſlative, executive and judiciary conſtitution, diſcovers a perfect ſecurity of liberty—yet, however excellent be thoſe principles, their utility in practice muſt depend on the diſtribution and adminiſtration of the elective authority. This branch of government is exerciſed partly and chiefly by the people, partly by the executive, and partly by the legiſlature. The people chooſe the members of the general aſſembly, and of the Houſe of Repreſentatives of Congreſs—they chooſe a Governor, and electors of a Preſident and vice Preſident of the United States; and they chooſe ſheriffs who ſelect juries. The aſſembly chooſes Senators in Congreſs. The ſupreme executive chooſes the judiciary, and other executive officers. In this elective branch of government, it appears, the people have reſerved to them as much ſhare as may ſafely conſiſt with a judicious exerciſe of it; and, by their immediate appointment of thoſe who make laws, and by the independent and energetic declaration and execution of them, a government of laws and liberty is ſecured. The elective power of the people ſo controuls each of the other branches, and ſo pervades the whole government; that it is impoſſible, that liberty ſhould be in danger, or adminiſtration wrong, if the people exerciſe their elective power with judgement and integrity. The other branches of the government cannot be wrong, if the elective be right. If the people prudently and honeſtly adminiſter their ſhare of the government, there will be a prudent and honeſt adminiſtration. But corruption in them will corrupt the whole. And, unfortunately, we have reaſon to fear, that, of all the parts of adminiſtration, that is the moſt corruptly or imprudently exerciſed, which is in the hands of the people themſelves; nor do we ſee any other public officer, who ſeems to care ſo little about the faithful and proper diſcharge of his truſt, as the citizen on the day of election. This is not flattery; I wiſh I could ſay, it is not truth.

It will be obſerved, that I have here conſidered the elective authority, as a diſtinct branch of the government; and I conſider the citizens, while exerciſing this authority, as public officers acting in the adminiſtration of the government. In this elective capacity, it ſeems not ſo proper to ſay that the people are ſovereign, as that they exerciſe a part of the ſovereignty, or that their power is arbitrary, as that it is judicial, with ſound diſcretion, and moral liberty—This idea may appear novel. I think it juſt—and ſhould be diſpoſed to carry it to its full extent. I would call election a public office, the citizens, in this capacity, public officers though not miniſterial, accountable, like judicial and diſcretionary officers, for neglect, corruption, or willfully wrong exerciſe of their truſt. And I am, therefore inclined to think, that every citizen might, by law, be compelled, as to any other duty, if he have no reaſonable excuſe, to attend and vote at elections, and be puniſhed for voting corruptly, or willfully wrong.

In tracing the cauſes conducing to an indiſcreet or perverſe exerciſe of the elective power, a principal one will appear, in the concealment of the conduct of voters, and in the little intereſt which they take in the adminiſtration of government. Each conſiders his vote of but ſmall conſequence, in compariſon to the whole—knows he will not be called to account for the abuſe of it—thinks but a very ſlender part of the evil of his choice will fall on him—and is, therefore content, to intruſt the moſt important affairs of the nation, to the management of men, with whom he would not intruſt the leaſt portion of his private intereſt.

Another cauſe of error in election is the incapacity of many of the electors, from ignorance and inexperience, to form a juſt opinion on important and complex national affairs—ſo that even when they are diſpoſed to chooſe honeſtly, they cannot chooſe wiſely, and many miſtake the dictates of vanity and preſumption for the rules of good ſenſe and the maxims of experience. To every friend of a repreſentative democracy, it is a mortifying obſervation, that boys, blockheads and ruffians, are often liſtened to, in preference to men of integrity and underſtanding. This can only be corrected by the extenſion of knowledge, and a decent reſpect for wiſdom and experience.

But the great ſource of error in the people ariſes from thoſe parties, diviſions and diſtinctions, which our weakneſs or wickedneſs excite among us, and which factions, diſappointed and intriguing men lay hold of, to promote their baſe and malignant views, and raiſe themſelves to conſequence. For this end, they give names to each other, and to thoſe names annex ideas of the moſt odious nature, that they can deviſe and render probable. Imputation amounts to guilt—impudent and open aſſertions gain credit, and men of the beſt diſpoſition, and honeſt concern for the public good, are made to hate each other as fiends, and as foes to the principles and property of our government.

(For remainder ſee the laſt page.)

American Intelligence.

NEW YORK, *December* 29.

BUONAPARTE.

Extract of a letter from a gentleman of reſpectability in Paris to his friend in this city, dated 9th Thermidor, 4th year.

Dear Friend,

"*The likeneſs of General Buonaparte being juſt come out, I ſend you two copies, one for yourſelf, the other for my friend R——. I am ſure it will pleaſe you ſo much the more, as a ſingular diſcovery has lately been made reſpecting the place of his origin. He happens to be a countryman of yours, and even one of your friends, inſtead of being a Corſican as firſt reported. Buonaparte is an aſſumed name—his family name is Shaier, from Middletown in Connecticut. You will no doubt be able to judge of the truth directly, and not fail to aſcertain the fact in caſe the people of America may have any doubts about it. I expect they will rejoice at an event which has afforded me pleaſure, and procures me the advantage of receiving from him at this very moment every friendſhip, in conſequence of our former acquaintance in America.*

"*Salut and Fraternity.*

"C——."

BOSTON, *Dec.* 23.

Letter from Nantucket, December 16.

Theſe will inform you, that laſt night the ſhip Alliance, Capt. Peaſe, arrived here from Woolwick Bay, laſt from St. Helena, which he left September 23, in company with five other whale ſhips for this port. Capt. Peaſe informs, that a Dutch fleet of two 70's, two frigates and a ſloop of war, were at Salladanna Bay, and that the Engliſh fleet laying at the Cape of Good Hope, got information and immediately proceeded againſt them, and captured the whole ſquadron without difficulty. Capt. Peaſe alſo informs, that Mr. Leach, a merchant of St. Helena, told him, a ſhip belonging to Boſton (her name and the captain's he had forgotten, but certainly neither Sigourney nor Doble) from Idia, with a freight for Europe, had been caſt away to the northward & eaſtward of the Cape of Good Hope, veſſel and cargo loſt, the people were roughly treated by the natives, but no lives were loſt; the crew had taken paſſage in the fleet for Europe.

Treaſury Department, September 28th 1796

NOTICE,

IS herby given, that propoſals will be received at the Office of the Secretary of Treaſury until the expiration of the firſt day of March next enſuing, for the ſupply of all rations which may be required for the uſe of the United States, from the firſt day of June 1797 to the thirty-firſt day of May 1798. both days incluſive, at the place and within the diſtricts hereafter mentioned, viz.

At Oſwego, at Niagara, at Preſque'Iſle, at Sanduſky Lake, and on Sanduſky River, at Detroit, at Michilimackinac at Fort Franklin, at Pittſburgh, at Cincinnati, at Fort Hamilton, at Fort St. Clair, at Fort Jefferſon, at Grenville, at Pecque Town, and Loramies Store, at Fort Adams, at Fort Wayne, at Fort Defiance, at any place below Fort Defiance, on the Miami River, to Lake Erie, at Fort Stueben, at Fort Maſſac, to the ſouth boundary of the United States on the River Miſſiſſippi, at Fort Knox, at Occatano.

If ſupplies ſhall be required for any poſts or places not mentioned in this notice, all ſuch ſupplies ſhall be furniſhed at prices proportioned to thoſe to be paid at the poſts before recited, or as may be hereafter agreed on between the United States and the Contractor.

The rations to be ſupplied are to conſiſt of the following articles, viz.

One pound two ounces of Bread or Flour,
One pound two ounces of Beef or fourteen ounces of Pork or Bacon,
Half a gill of Rum Brandy or Whiſkey.
One quart & half a pint of Salt,
Two quarts Vinegar,
Two pounds of Soap.
One pound of Candles.
} per. 100 Rations.

The rations are to be furniſhed in ſuch quantities, as that there ſhall at all times, during the ſaid term, be ſufficient for the conſumption of the troops at Michilimackinac, Detroit, Niagara, and Oſwego, for the term of ſix months in advance and each of the other poſts, for the term of at leaſt three months in advance, in good and wholeſome proviſions, if the ſame ſhall be required. It is to be underſtood, that the Contractor, is to be at the expence and riſk of iſſuing the ſupplies to the troops at each poſt and that all loſſes ſuſtained by the depredations of an enemy, or by means of the troops of the United States, ſhall be paid for at the prices of the articles captured or deſtroyed, on the depoſitions of two or more perſons of creditable characters, and the certificate of a commiſſioned officer, aſcertaining the circumſtances of the loſs, and the amount of the articles for which compenſation ſhall be claimed.

OLIVER WOLCOTT,
Secretary of the Treaſury.

BLANKS

Apprentices Indentures. Juſtices Executions &c. for ſale at the Printing office Pittſburgh.

TO BE RENTED,

ON TUESDAY the 24th day of this Inſtant, to the higheſt bidder, for three years, that moſt noted ſtand for both STORE and TAVERN, ſituated on the Great Road leading from Parkiſon's Ferry to Waſhington, and where the Redſtone Road to Pittſburgh croſſes. Poſſeſſion may be had on the firſt day of February next, if the Purchaſer chooſes, and attendance will be given by me.

JAMES M'CALL.

January 9, 1797.

Pittſburgh, Jan. 14.

Since the receipt of the votes for Tenneſſee which were unanimous in favor of Mr. Jefferſon and Mr. Burr. The votes ſtand thus,

For Adams,	71
Jefferſon,	64
Pinckney,	59

We learn from Kentucky that the votes of the Electors were unanimous for Mr. Jefferſon and Mr. Burr.

Orders are iſſued to the officers of the army of the United States, to wear the uſual mourning of black crape round the left arm and the hilt of the ſword, for 30 days, as a token of reſpect to the memory of the late Major General Wayne.

From WESTPOINT, *December* 12.

"*Four companies of artilleriſts and engineers have been ordered from this place by the Preſident, to take charge of, and put in repair the works in the ſea-ports.—Capt. Frye to Governor's iſland, in the ſtate of New York, with a company—capt. Mitchell at Fort William, below Philadelphia: capt. Morris at Baltimore—capt. Blackburn, at Norfolk, Virginia: and capt. Kalteiſen, at Charleſton, S. C. On what account the arrangement is made, we can only conjecture—but we are all decided friends to the preſent happy conſtitution of our country.*

By Yeſterday's Mail.

NEW-YORK January 5.

We have been favoured with the Hamburg papers received yeſterday by the ſhip Minerva, to the 7th November.

In a curſory view, we have noted the following:

A letter of General Moreau, dated Oct. 10.

After deſcribing long marches;

"Thus, an army of which the enemy boaſted he would certainly make priſoners, now threaten him with an attack, and returns to cover the frontiers, after a march of 100 leagues without the leaſt loſs; during which they took from the enemy 18 pieces of cannon, 2 pair of colours and nearly 7000 priſoners, among which there are 80 officers."

FRANKFORT, Oct. 22.

Under this date a confirmation is given, Moreau on his retreat attacked the Imperial Gen. Petraſch, and repulſed him with the loſs of, from 1500 to 2000 men, and that he had been conſiderably reinforced.

VIENNA, Oct 16.

An article dated Leipſic, Oct. 21, ſays—"Rumours of peace between the Emperor and the French Republic, grow daily ſtronger; and upon good grounds it is ſuppoſed that the Cabinet of Berlin is very inſtrumental in the buſineſs"

The Armiſtice between the Pope and the French Republic was about being broken by the former. He had addreſſed letters to the different Powers of Europe on the ſubject. The caſe is not ſtated, but ſeveral articles from different parts of Italy confirm the expectation of an immediate commencement of hoſtilities between the Papal troops and thoſe of the Republic.

PHILADELPHIA, January 6.

The Pacific Trader, Captain Barnard, arrived at Boſton on the 23d ult. in 51 days from Liverpool. She brought London papers up to the 26th of Oct. but the intercourſe between France and England having been ſtopped, there is no news from thence of ſo late a date by three days as has already been received here; nor are there any official accounts from the armies ſince thoſe which have been communicated to our readers.

On Friday evening about 8 o'clock, an alarming fire was diſcovered in the upper part of the houſe of Dr. Andrews, in the yard of the Univerſity of Pennſylvania, in this city. The fire had made alarming progreſs before the citizens could aſſemble, or engines be procured; but by their unremitted and judicious exertions, the deſtructive flames was prevented from ſpreading to the College, or to any other buildings than the houſes adjoining. The upper parts of both houſes were deſtroyed, but no other material damage done.

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* See 3 Mod. 124—5.

In the French revolution, thoſe, who ſavoured it, were called democrats, & thoſe, who favoured the old government were called ariſtocrats. In America, where there is no revolution; where the principles of our government are as completely democratic, as a repreſentative government, with any chance of ſtability and uſefulneſs, can be; where I ſee no man who endeavours or wiſhes to alter any of thoſe principles; where there is no privileged claſs of men, but all alike ſubject to law, and alike ſuſceptible of office; where there is no kind of ſimilarity between our ſituation & that of France, nor any thing whatever to juſtify their introduction; we have introduced the ſame names. In proportion as a man is ignorant and weak, the words democrat and ariſtocrat are familiar to him; and, like fools, who ſee ghoſts, we alarm ourſelves with phantoms of our own creation. Our government is a government of liberty, and all friends to it, are friends to liberty—and thoſe men are alike enemies to our government and our happineſs, who ſow diſſenſions among us, and progogate ſuſpicions of the views and tendency of its adminiſtration. Where is the branch or officer of government among us, that can have any intereſt in leſſening the liberty of the people? Muſt not every public officer ſoon become a citizen, or leave his children in that condition? Will he forge chains for himſelf and his poſterity? The idea is unnatural and abſurd. There is no reaſon for thoſe ſuſpicions and ill opinions of one another and of public meaſures. But there is a manifeſt reaſon, for every malignant, factious, diſcontented and ambitious man, to propogate and ſupport them. How can men without virtue or talents riſe into conſequence, but by ſlander, falſehood and diſſenſion, by repreſenting the ſtate of things and the conduct of government, as erroneous and deſtructive, making profeſſions of piety and patriotiſm, and promoting any change, in which their condition may be improved. When Abſalom conſpired to dethrone his father, he prepared the way for his treaſon, and ſtole the hearts of the people, by diſſembled courteſy, humility, and concern for juſtice, by a malicious miſrepreſentation of David's government.* When, in the height of the glory and proſperity of Rome, the impious, profligate, and deteſtable Cataline conſpired to involve that city, in plunder, maſſacre and deſtruction, he procured accomplices in his horrid plot, by impudent and hypocritical pretences of virtue, benevolence and patriotiſm, by invectives on the corruptions of government & lamentations on the deplorable ſtate of the nation, the oppreſſion of the rich, & the miſery of the poor.† When Cromwell, a fanatic, hypocrite & tyrant, eſtabliſhed his military deſpotiſm in England, he did it under the pretence of introducing a republican government, and the kingdom of the ſaints. With the moſt aſpiring ambition, he made the baſeſt profeſſions of humility, affected to accept ſovereign power as a burden, and that he might exert the duty of a conſtable; and mocked God, that he might deceive men. He ſubdued the civil government, by perſuading the army, that the government was hoſtile to it.—And he ruled the army, by ſetting one officer and party in it againſt another.‡ Roberſpierre raiſed himſelf on the ruins of the moſt zealous patrons of French liberty, by ſucceſſively denouncing every man and party, whoſe virtues or talents he feared, as ariſtocrats, royaliſts and favourers of tyranny; till he made France a general ſlaughter houſe, and brought liberty into extremity of danger. Under the maſk of democracy and patriotiſm, he ſteeled the hearts and debauched the principles and morals of the nation, and fell himſelf under that inflexible ſpirit of deſtruction, which he had excited.

Such is the ſpirit, and ſuch are the arts of baſe, facticus and wicked men. And let us conſtantly beware of thoſe, who making great profeſſions of patriotiſm and virtue themſelves, denounce cenſures againſt the character and conduct of others, and againſt the principles and meaſures of our government. Eſpecially guard againſt ſuch arts, when they are exerted at the time of an election. The man who endeavours to miſlead the judgement, impoſe on the credulity, & to prevent the choice of the citizens in their elections of public officers, poiſons the ſource of our government, & corrupts the whole maſs of the adminiſtration. To me this appears a crime of the firſt enormity, and deſerving the moſt cordial deteſtation.—It is a miſdemeanour, an offence againſt civil duty, indictable and puniſhable. We had a remarkable ſpecimen of this on a late occaſion. Previous to the election of electors of Preſident and vice Preſident of the United States, handbills, ſome of which are ſaid to have been fabricated in Philadelphia, and ſome in Waſhington, were circulated with a malicious induſtry, over all this country, ſtuffed with turgid and fooliſh rant of liberty and ariſtocracy, and with baſe and pitiful miſrepreſentations of the ſentiments, and falſe and ſlanderous invectives againſt the principles, of one of the earlieſt, firmeſt, moſt enlightened, uniform, and irreproachable, patriots of America. When a man propoſed as a candidate for an important public ſtation, is thus libelled, miſrepreſented, and abuſed; the injury is done to the people, rather than to him. The people are defrauded of their information, perverted in their judgement, and cheated of their choice. And it becomes every honeſt citizen, to unite in reſentment againſt the authors of the deluſion, & the hand of juſtice, to bring them to puniſhment.

When we reflect from what ſmall beginnings great miſchiefs have ariſen, and how important it is, that all claims of right ſhould, in civil ſociety, be determined by an impartial and unprejudiced tribunal; we ſhall perhaps, have reaſon to watch, if not to cenſure, an aſſociation of certain actual ſettlers on Beaver creek in this county,* publiſhed in the Pittſburgh Gazette of 10th September laſt. Theſe, under the corporate name of the United Settlers have agreed, each to contribute a ſum of money, to defend any law ſuit, which may be brought to diſpoſſeſs any of them of the land on which he has ſettled—and, under the penalty of three thouſand dollars, to make no agreement or compromiſe, on any ſuch law-ſuit, without the conſent of a ſelect committee.

On ſtrict legal principles, ſince there is no common intereſt in the land; ſince the title of one is not the title of another, nor derived from it, nor affected by it—and ſince therefore the deciſion of one of their caſes cannot govern or affect that of another—this ſeems to approach or amount to maintenance, which conſiſts in an officious or unlawful intermeddling in the ſuit of another, by maintaining or aſſiſting him with money or influence to proſecute or defend it; and is an offence againſt public juſtice, as it keeps alive ſtrife and contention, and perverts the remedial proceſs of the law.† But I look more to the peculiar probable conſequences of this caſe. We have judges to decide law; we have juries to decide facts. Is there any corruption or delay in our courts, to require or juſtify an aſſociation to obtain juſtice? Since juries are part of the tribunal, by which theſe claims are to be determined, and juries muſt be ſelected from the people of the county; is there no danger to the impartiality & integrity of deciſion from a numerous combination of the people of the county? and may we not apprehend, when their claims are thus fortified by mutual confidence, and bolſtered up by extrajudicial arguments and opinions, that a legal deciſion may be doubted, denied and reſiſted—that law may, as we have ſeen it, ſink under popular deluſion and violence, and a new Wyoming be eſtabliſhed among us. Our government is free, our adminiſtration of juſtice impartial and unqueſtioned. Let all claims be quietly and fairly ſubmitted to the deciſion of the law.

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* 2 Sam. 15. † *Salluſt.* ‡ *Hum. c.* 61.

* *Allegheny.* † 4 *Comm.* 134.

Came to the plantation of the ſubſcriber living in St. Clair townſhip, Allegheny county, ſome time about the 1ſt of September, a ſmall red and white Cow, branded C. C. a crop off her left ear. The owner is deſired to come, prove property, pay charges, and take her away.

JOHN WILSON.

Dec. 5, 1706.

All perſons indebted to the ſubſcriber are requeſted to make payment immediately, and all perſons who have any demands againſt him, are requeſted to preſent them for ſettlement. I flatter myſelf that this will be attended to, as I am determined not to be trifled with any longer.

JOHN M'KEE.

M'Kee's Port, Dec. 7, 1796.

TO BE SOLD

AT PRIVATE SALE,

On the premiſes for caſh, the 2d Tueſday in March, 1797, the following tracts of land, late the property of JAMES M'FARLANE, of Waſhington County and State of Pennſylvania, deceaſed.

ONE patent tract of land (on Pegion creek, about 3-4 of a mile from the mouth, at Parkeſon's Ferry, Monongahela river) containing 281 acres, 1 rood, 4 poles, and allowance, with a valuable griſt and ſaw-mills, with two pair of ſtones—one pair of which, is complete French Burrs, four feet four inches, a new bolting and ſliding ſcreens, two bolting cloths—The hulk and running geers about two yeares old, and in good working order, a ſtone and lime mill-houſe, two ſtory high, two fire places and garret, 40 by 44 feet, on an excellant ſtream, and in a fertile ſettlement, and commodiouſly ſeated for the Orlean trade, with a convenient ſquare log houſe for a miller, a hanſom brick dwelling houſe, 36 by 37 feet, two ſtory high, with a conveniant celler and garret, 3 fire places, 4 rooms and an entry on the lower flore, with nine windows in front, twenty four lights each, and ten windows back, eighteen lights each, and two in the garred—An Apple orchard containing 70 or 80 large bearing trees, about 70 acres of ſaid land cleared and under good fence, thirty of which are firſt rate bottom—an excellant coal-bank about fifteen rood from the houſe, with ſeveral out houſes, the wood land is rich, level and well timbered, with a variety of good ſprings.

Alſo will be ſold, at the ſign of the Bear in Pittſburgh, the 2d Friday in March, the following pattent lots, in the reſerved tract oppoſite Pittſburgh, over the Allegheny river, viz. Town lots, Numbers 42, 63, 83 and 89—Out lots, number 30, 176, 240 and 241, likewiſe two patent donation tracts of land containing 200 acres each, on the waters of Shenango and Beaver creeks, number 45 and 51—alſo one patent tract of land on the main branch of Turtle creek, eighteen miles from Pittſburgh, containing 150 acres and allowance, and an excellant mill ſeat, on a never failing ſtream.

Any perſon or perſons wiſhing to purchaſe, may know the terms by applying to any of the ſubſcribers, and propoſels will be received by them at any time before the days of ſale.

Aw. M'FARLANE,
Aw. ROBISON,
HUGH M'FARLANE,
FRANCIS M'FARLANE,
GEORGE WILLIAMS *and*
HUGH M'FARLANE,
attorney for Wm. DIXON.
} *Heirs.*

To be ſold by the ſubſcriber living on the waters of Racoon creek, within three miles of West Boſton, two miles of Mr. Patterſon's meeting houſe, and one mile from two mills, a plantation containing 200 acres of firſt rate land, lying on the great road from Pittſburgh to the Mingo Bottom, 60 acres of upland cleared, and 10 acres of meadow; there is a dwelling houſe, out houſes and ſaw mill. For further particulars apply to the ſubſcriber living on the premiſes.

JOHN EAKIN.

November 26, 1706.

Came to the plantation of the ſubſcriber living in George townſhip, Fayette county, four miles and an half from Union Town, ſome time laſt ſummer was a year, a ſmall yearling bull, brindle and white, no perceivable brand or mark. The owner is deſired to prove property, pay charges, and take him away.

PHILIP ROGERS.

November 1, 1796.

Came to the ſtable of the ſubſcriber living in the Borough of Pittſburgh, on the 30th of November laſt, a Grey Mare, 5 years old laſt ſpring, had on an old ſaddle and a bell, ſhod all round. The owner is deſired to come, prove property, pay charges, and take her away.

JOHN REED, Tavernkeeper.

Dec. 8. 1706.

Came to the plantation of the ſubſcriber living on Chartiers creek, near Baldwin's mill, a Black Cow, with a white face, and a yearling Heifer. The owner or owners by proving property and paying charges may have them again.

WILLIAM M'COY.

Dc, 1, 1796.

William Earl,

REQUESTS all perſons who are in his debt to come forward and pay off their reſpective accounts before the 15th of December next. Suits will be indiſcriminately commenced againſt thoſe who neglect this notice. He has lately received a number of BOOKS amongſt which are the works of Williſon, Dodd, Doddridge, Pike, Edwards, Boſton, Ruſſel, Bunyan and other eminent divines.

Pittſburgh, Nov. 18, [illegible]

TO WHOM it may concern,

WHEREAS *a number of Tracts of Land were ſold at Commiſſioners Sales begun and held at Greenſburgh, for Weſtmoreland county, the ſecond day of Auguſt laſt, for arrearages of Taxes, and whereas there is reaſon to believe that ſome of theſe tracts are not within the bounds of the county aforeſaid, and ſome may be actually improved and perſons reſiding thereon from which the taxes might have been procured: Therefore, Notice is hereby given, that in the firſt caſe any perſon or perſons who may have purchaſed as aforeſaid and who ſhall produce to the Commiſſioners in three months from the date hereof a certificate from the deputy ſurveyor of the diſtrict that ſuch tract or tracts is not within the bounds of the county aforeſaid, they ſhall be relieved from their purchaſe; and in the ſecond caſe the perſon or perſons purchaſing ſhall aſcertain whether the land be or they may have purchaſed be actually improved, and effects thereon ſufficient to diſcharge the taxes, in ſuch caſe the purchaſer ſhall be relieved from his purchaſe; nothing herein contained is to be conſtrued to extend to lands north weſt of the river Ohio commonly called Depreciation Lands. [illegible] application will be attended to after the expiration of the term aforeſaid by the Commiſſioners.—And notice is further given to all perſons, or their attorney's legally authoriſed whoſe lands may have been ſold at the ſales aforeſaid, to apply for their reſpective [illegible] of the money that may remain in the hands of the Commiſſioners after diſcharging the taxes and coſts due thereon, which on their producing a proper chain of title ſhall be immediately paid them, or the lands, on their paying the coſts, reſtored. Given under the hands of the Commiſſioners acting for the county at the time of the ſales.*

JOHN KIRKP
BARTEL LAPPE
JACOB SMITH.

Greenſburgh, December 1, 1796.

PITTSBURGH: Printed by JOHN SCULL, in Front Street, next door to the corner of Market Street,
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